

REMARKS

Formal Matters

Claims 33-35 and 51-68 are pending.

Claims 36-50 are cancelled without prejudice.

Claims 33, 34, 51, 52 and 57 are amended for clarity. Support for the amendment to claim 33 is found at page 9, line 10, of the specification as originally filed.

Claims 60-68 are newly added. Support for new claims 60-67 is found at page 8, lines 3-10; page 9, lines 1-13; page 19, lines 11-21; page 35, lines 1-10; and Example 1, starting on page 20, line 30, of the specification as originally filed.

No new matter is added.

Restriction Requirement

In the Restriction Requirement, the Examiner required election of one of the following groups of claims:

- Group I: claims 36-46;
- Group II: claims 47-50;
- Group III: claims 33-35; and
- Group IV: claims 51-59.

Applicants hereby provisionally elect the claims of Group III with traverse.

As stated in the MPEP §803, if search of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

The Applicants submit that both Groups III and IV claims can be searched by performing a *single* search: a search for screening assays that employ polypeptides having at least 80% sequence identity to SEQ ID NO:82. As such, it is the Applicants belief that Group IV claims can be searched without any extra effort, once Group III claims have been searched.

In view of the foregoing discussion, the Applicants submit that it would not be unduly burdensome to perform a search on Groups III and Groups IV together and, as such, the requirement for restriction between Groups III and IV may be withdrawn.

The Applicants expressly reserve the right under 35 USC §121 to file one or more divisional applications directed to the non-elected subject matter during the pendency of this application.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number AREN-007CON2.

Respectfully submitted,
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